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OFFICE OF PETITIONS

ON PETITION

In re Application of :
Fan, et al. :
Application No. 09/697,518 :
Filed: October 25, 2000 :
Attorney Docket No. M-9069 US :
For: MOBILE CONTROL APPARATUS :

This is a decision on the petition filed December 20, 2004 (certificate of mailing date December 14, 2004) and resubmitted on September 28, 2006 under 37 CFR 1.181 to withdraw the holding of abandonment.

The petition under 37 CFR 1.181 to withdraw the holding of abandonment is **GRANTED**.

The Office contended that the above-identified application became abandoned for failure to timely reply to the Notice of Noncompliant Amendment, mailed March 3, 2003, which set an extendable period for reply of one (1) month. Having received no reply, the Office considered the application abandoned on April 4, 2003. A Notice of Abandonment was mailed on December 14, 2004.

The Office received a Power of Attorney by the assignee of the entire interest on October 3, 2002 (certificate of mailing date September 27, 2002). Unfortunately, the Office did not promptly enter the requested change in address. This error resulted in the March 3, 2003 Notice being mailed to an incorrect address --the previous correspondence address of record.

The petition under 37 CFR 1.181 is granted, the holding of abandonment is withdrawn, and the December 14, 2004 Notice of Abandonment is vacated. No petition fee has been or will be charged in connection with this matter.

There is no need to re-mail the Office action in question, as petitioners have already submitted a response.

After the mailing of this decision, the application will be forwarded to Technology Center AU 2617 for consideration of the response to the March 3, 2003 Notice, filed on December 20, 2004 (certificate of mailing date December 14, 2004) and resubmitted on September 28, 2006.

Telephone inquiries may be directed to the undersigned at (571) 272-3230.

A handwritten signature in cursive script, reading "Shirene Willis Brantley".

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions